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ABSTRACT

The growth in the popularity and importance of disadvantage arguments in debate has been, in some measure, due to the growing belief that debate should be viewed from a policy-making perspective. And, with the focus of contemporary debate shifting to the consequences of policy actions, there has been a concurrent increase in the sophistication of affirmative plans. Most affirmative teams not only carefully construct plans in order to avoid disadvantage arguments, but also tend to choose case areas that seem to be least prone to disadvantages. Thus, a policy optimization model can be useful to the debater for tracing the consequences of policy action. It allows the negative to place affirmative policies into the perspective of general goals so that specific sources of policy dysfunction may be discovered. By using the bell-shaped benefit curves and valley-shaped cost curves, a policy can be determined to be at its optimal level when the policy reaches a point that is at the greatest distance between costs and benefits. This implies that a policy designed to achieve a given objective may be adopted in varying degrees or that different policies may be adopted along a continuum of effect toward a goal. By using the model, policy actions can be compared to the desired objectives of the policy. If it can be agreed that a goal can be achieved in varying degrees and that there are desirable limits of policy effect, then the further application of this model will serve to clarify many sources of policy dysfunction. (HOD)

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TRACING CONSEQUENCES OF POLICY ACTION: A BASIS FOR DISADVANTAGE ARGUMENTS

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In recent years, increasing attention has been devoted to disadvantage arguments in debate. Affirmative plans have also become more sophisticated. These changes make it necessary to view the policy-making process from a broad perspective such as a policy optimization model. In this paper, an optimization model is developed. The model provides the basis for improved understanding of the theoretical basis of arguments concerning the consequences of policy action.

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The growth in the popularity and importance of disadvantage arguments in debate has been substantial in recent years. While the causes of this growth may be of no consequence, it is fair to say that this growth is, in some measure, due to the growing belief that debate should be viewed from a policy-making perspective. To many critics even miniscule advantages become compelling reasons to adopt the resolution if there are no successfully argued disadvantages presented.

With the focus of contemporary debate shifting to the consequences of policy actions, a concurrent increase in the sophistication of affirmative plans has been noted: "While a decade ago, plans were relatively simple, often consisting of only a sentence or two, now it

is not unusual to hear an affirmative team take a minute or two to explain the details of their plans."[1] With affirmative plans taking on an added degree of complexity, negative teams have been forced to dig deeper in order to discover adverse consequences of proposed policies. Most affirmative teams currently, not only carefully construct plans in order to avoid disadvantage arguments, but they also tend to choose case areas which seem to be least prone to disadvantages.

This trend has made it necessary to view the policy-making process from a broad perspective in order to discover potential disadvantages. From this perspective, it may be noted that specific types of policies tend to produce specific types of disadvantages. This "broad perspective" will take the form of a policy optimization model which will enable the debater to trace consequences of policy action. The ostensible purpose of this view is to allow the negative to place affirmative policies into the perspective of general goals so that specific sources of policy dysfunction may be discovered.

The Optimization Perspective

The position to be advanced in this paper rests on the assumptions that all public policy objectives can be achieved at various levels and that all public policy objectives have a desirable limit of effect. The goal of public policy making is to identify the objective and then to adopt a policy or policies that will achieve the goal at its optimum level. In the perspective of a debate round, this would represent the advantage or need identified by the affirmative and the policy that is designed to meet the need or achieve the advantage with the least risk of incurring serious disadvantages. Nagel and Neef describe this process in its simplest form as "the problem where we have one policy that can be adopted

to various degrees, and the problem is one of ending the optimum level or optimum degree to which the policy should be adopted."[2] This process implies that a policy designed to achieve a given objective may be adopted in varying degrees or that different policies may be adopted along a continuum of effect toward a goal. This process of optimization is described by Nagel in the form of bell-shaped benefit curves and valley-shaped cost curves.[3] When a policy can be described as having achieved the maximum benefit in relation to costs, the policy is at an optimum level of effect.

In these figures, a policy that seeks to maximize benefits or decrease costs may be described as being at an optimal level when the policy reaches a point that is at the greatest distance between costs and benefits. By using Professor Nagel's model, policy actions can be compared to the desired objective of the policy.

If it can be agreed that a goal can be achieved in varying degrees and that there are desirable limits of policy effect, then the further application of this model will serve to clarify many sources of policy dysfunction. Of course, this model represents a number of factors that may not be assumed. The most obvious problem centers on the definition of the goal to be achieved. The process of maximization of objectives becomes distorted if viewed in a sententious way as Nagel and Neef argue: "Many policy analysis problems involve taking goals as givens

and determining what policies will maximize those goals. The goals, however, may be only intermediate values directed toward achieving other more general values."[4] The reservations in application of this model, however, do not detract from its usefulness in helping to understand the sources of disadvantage arguments. In fact, all types of disadvantage arguments will fit neatly into this perspective even if the initial structure of the curve is distorted by disagreement over goals.

Policy Placement from an Optimization Perspective

Implementation and Unintended Consequences

In order to seek disadvantages using this perspective, the first task is to plot the policy on an optimization curve. Several sources of policy dysfunction become apparent when considering the initial placement of the policy.

If it is assumed that the goal of the affirmative is to maximize the benefits of a policy, then the implementation of that policy becomes the first logical candidate for possible disadvantage arguments. The term "implementation" in this context may be defined as the process of enacting a policy at some level of effect. The importance of implementing a policy at a desired level is one of the most important considerations to be made in achieving the maximum benefit of a policy. Simply identifying the optimal policy alternative is less than half the battle of maximization as Elmore contends:

> Analysis of policy choices matters very little if the mechanism for implementing those choices is poorly understood. In answering the question, "What percentage of the work of achieving a desired governmental action is done when the preferred analytic alternative has been identified?" Allison estimated that, in the normal case, it was about 10 percent leaving the remaining 90 percent in the realm of implementation.[5]

With ninety percent of the entire process of achieving a declared objective dependent upon implementation, the effect of distortion and dysfunction at this level becomes very important.

The physical and ideological "distance" between those who make policies and those who implement them creates a symbolic relationship which can cause either the failure or distortion of even the best conceived policies. While the inevitable discretion that will be employed at the implementation level may also be viewed as desirable, given the need to adapt policies to specific situations, the problem inherent in this relationship seems to be a likely source of disadvantage arguments. Elmore explains the relationship problem between those who conceive policy action and those who implement policy action in this way:

> Standardized solutions, developed at great distance from the problem, are notoriously unreliable; policies that fix street level behavior in the interest of uniformity and consistency are difficult to adapt to situations that policymakers failed to anticipate. Adaptation under these circumstances consists either of subversive, extralegal behavior or a complex procedure of hierarchial clearance. There is little or no room for the exercise of special skills or judgment not to mention deliberate invention and experimentation. When implementation consists essentially of controlling discretion, the effect is to reduce reliance on knowledge and skill at the delivery level and increase reliance on abstract, standardized solutions. Hence, a certain proportion of the learning that is required to adapt a broad policy to a set of circumstances is lost; adaptive behaviors by street-level bureaucrats are never well understood by policymakers because they are viewed as illicit.[6]

The perceptions of the people involved in the process of implementation can obviously have a tremendous effect on the direction of a policy mandate. Given that people perceive differently, the number of people, amount of behavioral change, and the complexity of the process expands the potential for a symbolic effect to warp the intent of the policy. The perception that a policy may create can change the nature, scope, or direction of a policy at any point in the process of implementation.

Some of these distortions may be argued as resulting in disadvantages. A recent example of an implementation problem has involved "random searches" by police of private automobiles. In this case, the Supreme Court has found it necessary to limit the power of police officers due to implementation problems. Justice Byron White has defended the decision on this basis citing, "a 'grave danger' of abuse of discretion."[7]

The perception differences between "those dreamers in Washington" and "those fools on the street" creates a unique breeding environment for policy dysfunction. It would seem that the size of the program has a direct effect on the predictability of the outcome. Common symbols must be transmitted down the entire chain of the implementation process in order to achieve the desired behavior change in the target group. The longer, larger, or more diverse the chain, the harder the implementation process becomes: "The basic hypothesis is, of course, that the greater the amount of behavior change, the more problematic successful implementation."[8] This field of research seems to be a reliable indicator for disadvantage arguments. While the practicability of both policy formation and implementation may vary in effectiveness, the symbolic relationship between these two levels of government seldom varies. The basic problem is one of a plan in theory versus the execution of the plan in reality. All levels of implementation contain potential roadblocks and sidestreets that may distort the final product.

In the perspective of the optimization model, the realm of implementation has a great effect as to the initial placement of the policy on an optimization curve. To the advocate faced with increasingly complex and/or narrow affirmative case areas, the realm of implementation might prove to be a consistant source of possible disadvantage arguments.

Another factor that should be considered when plotting a policy on

an optimization curve is the idea of unintended consequences. This concept disputes the initial placement of the policy by arguing adverse and unintended effects of a policy which result from facts, conditions, or situations which the advocate is either unaware of, does not consider, or chooses to ignore. This type of argument is by far the most common type of disadvantage being used in contemporary debate.

This argument places the policy under discussion at some level of effect that is far removed from the affirmatively envisioned optimum level of development. Arguments concerning unintended consequences are usually those "out-of-the-blue" arguments that significantly alter the careful plans of optimal development pictured by the affirmative.

Scope and Urgency as Sources of Unintended Consequences

If disadvantages based on unintended consequences are to be identified as arguments based on information that is unconsidered, unknown, lightly treated, or even ignored for strategic reasons by the affirmative, then the question for the debater becomes, "What factors do affirmative teams tend to overlook or ignore?" In general, there are two types of actions that frequently tend to be breeding grounds for unintended consequences; actions that are broad in scope and actions that are surrounded by a sense of urgency. Both types of actions tend to produce hasty conclusions as to the optimization effect of a proposed policy.

In the same way that one might argue "the bigger they are, the harder they fall," a negative team may argue that the broader the mandate, the more likely that something will go wrong. In defense of the present system's incremental approach to most policy objectives, Pfau defends the ability of the present system to correct unintended

consequences with limited, well defined policies: "In addition, the present system's more adaptive approach is safer. Multiple programs in pursuit of multiple objectives take on the form of an indefinite sequence of policy moves. As a result, mistakes can be observed early and corrected."[9] Plans that are broad in scope will usually employ a variety of complex processes designed to avoid, divert, or reverse possible disadvantages. Sometimes the very complexity of the plan may prove to be a valuable source of arguments.

Plans that are broad in scope have the effect of superimposing the perceived goals of the affirmative over the multiple and possibly contradicting goals of the present system. Isolating specific problems with broad range policies may reveal arguments that alter the entire optimization process envisioned by the affirmative. The multiple goals of the present system may alter the shape or point of placement of a policy on an optimization curve if that policy represents a distorted view of actual goals. The concept of balancing rights serves to illustrate this idea. Viewed from a singular perspective, an argument for the absolute right to freedom of speech may seem persuasive. When balanced against other social goals, such as national security, it may also be argued that there should be some restrictions placed on this right. An affirmative seeking to "optimize" freedom of speech from a singular perspective could encounter arguments of "unintended consequences" such as the wholesale distribution of vital national security information.

Policies which are adopted with a sense of urgency or immediacy also tend to produce adverse, unintended effects that will affect the initial placement of a policy on an optimization curve. Important information is sometimes overlooked or discounted on the basis that action is necessary and should not be delayed.

The "unintended consequences" that were experienced as a result of the urgent and immediate nature of the Swine Flu immunization program serves as a good example of this effect. Most people can easily recount personal experiences where hasty decisions based on a felt need of urgency resulted in unintended consequences that might have been avoided had the decision process involved the careful examination of additional data. This tendency to "act now, think later" affects policymakers and debaters. The consistency of this tendency is observable in both areas:

> We usually act, as Knight has properly observed, not on the basis of scientific knowledge, but opinion and estimate. Thus, situations which demand (or what is for our purposes tantamount to the same thing, appear to the actor to demand) immediate action of some sort, will usually involve ignorance of certain aspects of the situation and will bring about unexpected results.[10]

It should be enough to say that a sense of urgency in policy formation lends an emotional bias that may result in relevant information not being considered or discounted.

At this level, the negative should make the distinction between "relevant available" information and "hypothetical" information. The main concern is with relevant available information that is not considered or is discounted because of the perceived urgency of the situation. The tendency to ignore or discount important information is consistent as well:

> But it is equally undeniable that intense interest does in fact often tend to preclude such analysis precisely because strong concern with the satisfaction of the immediate interest is a psychological generator of emotional bias with consequent lopsidedness or failure to engage in the required calculations.[11]

The further the affirmative moves away from the slow, prodding, incremental efforts of the present system, the greater the chance that an unexpected consequence will result.

Both the scope and speed of the plan may be good places to look for potential disadvantages. When the plan is broad in scope, the debater should look for specifics. When the plan is adopted with a sense of urgency, the debater should look for reservations. A "damn the torpedos" approach to affirmative advocacy will often overlook important information that may result in potential disadvantage arguments. The claimed placement of a policy in relation to an optimization curve may be affected both at the level of implementation and as a result of unintended consequences.

Policy "Movement" As a Source of Disadvantages

A second general area of possible disadvantage arguments may be found as a result of a policies movement (or lack of movement) along the optimization curve. In comparison to the first area, this type of argument grants the initial affirmative claim of placement in relation to the optimization model. The resulting disadvantages stem from policy interrelationships that may create undesirable movement away from the initial claim, or that the initial placement prevents further desirable movement toward optimization.

Quiescent Effects of Policy Action

If an affirmative plan identifies a policy which may be identified on the left side of the curve--or at a level that is not yet at an optimum level--then the negative may be able to argue the space between the identified placement and the optimal level as disadvantageous. Further, it may be argued that a compromise on a policy that fails to gain an optimal level of benefits may stifle any further attempts at optimization. This concept is defended by Pfau as he concludes, "the adoption of a particular policy may serve to thwart a reform drive. Once assured by a highly heralded

policy adoption, the public accepts the policy claims and becomes quiescent."[12]

A recent example of this type of argument was witnessed in a high school debate round concerning the curtailment of United States arms sales to other countries. The affirmative argued for the abandonment of plans to deploy theater nuclear forces in Europe and claimed stability advantages from this policy. The negative granted the initial placement of the policy, but countered with claims that such an action would stifle the nuclear freeze movement and as a result, the goal of world disarmament would never be achieved.

The broad perspective of optimization holds great potential for negative debaters who argue the symbolic effect of non-optimal policies. Pfau contends, "In debate, the implications for policy which serves to deter further progress are quite substantial. The negative advocate is now in a solid tactical position to defend the broad scope and future promise, of present system programs."[13] In the context of current debate practices, this type of argument would seem very relevant to the increasingly popular narrow affirmative plans since it is the limited nature of the plan that becomes the causal link to the quiescent effort disadvantage.

Over Zealous Extrapolation

A final consideration concerns the movement of a policy from a desirable to an undesirable effect. The idea that successful policies may be over-zealously extrapolated to the point that the policy becomes dysfunctional holds great potential for negative debaters. Basic policy science concepts seem to defend the idea that "too much of a good thing can be bad." This argument rests on the preliminary assumption that

all public policy objectives have a measurable, desirable limit of effect.

Taking the concept of quiescence together with over-zealous extrapolation gives the negative the option to argue that a policy either goes "too far" or "not far enough." Both sides of the curve can be argued as areas for disadvantage arguments. Nagel and Neef provide several examples:

> If environmental protection standards become too strict, we suffer unduly high cleanup costs, but if the standards become too lenient, we suffer unduly high pollution damage costs.[14]

> Another optimum level problem is the optimum jury size problem. If juries are too large, too many guilty defendants may fail to be convicted; whereas if juries are too small, too many innocent defendants may be convicted.[15]

Symbolic reactions to policies may result in pushing a program past the point of maximum benefits by the increased claims that are made because of a program's success. Edelman has noted "It is, moreover, one of the most common political phenomena that the satisfaction of claims in some policy area generates claims in related areas."[16] This process is also referred to as "piling on," a process which Bardach explains:

> Ironically, the initial success of a new program contains the potential for its longer run debilitation. As onlookers see the new program begin to move in its intended direction, some see it as a new political resource, an opportunity to throw their own goals and objectives onto the heap. The net effect of a large number of additional objectives added to the heap may topple it.[17]

A good example of "piling on" was argued against the 1981-82 high school resolution concerning federal education standards. Many negative teams argued that successful federal programs in limited areas would lead to additional federal action, resulting in a loss of local control, constitutional violations, or some other adverse effect.

The theory that political action solves political demands (quiescence) is not always true as Bardach concludes:

> It is not a foregone conclusion that the play of the game will dissipate political support--always a critical program element--and so undermine the original sponsors' objectives. Indeed, the game might enhance them. This is the scenario usually envisioned by liberal reformers who are willing to start a program on a small scale in hopes that its initial performance will allay conservatives' fears and thus sap their will to resist subsequent attempts to expand the scope of the program.[18]

Given this theory of policy expansion based on a symbolic reaction to success, negative teams are in a position to argue that while the specific goal of the plan is achieved (the initial placement on the model granted) the symbolic effect of the policy will expand the accepted goal to an undesirable extreme.

Viewed from the perspective of an optimization model, the affirmative policy is literally surrounded by disadvantages. The movement or stifling effect of a policy depends on symbolic reactions that cannot be generally identified. The seemingly antithetical nature of these two concepts can only be defended from a topic specific perspective. The literature of the area being researched must be the guide as to the predictability and type of symbolic reaction that may be argued. Observations of a general nature, however, might lend credibility to the assertion that government policies tend to expand and that movements tend to be easily satisfied.

Conclusions

The use of an optimization model should help students of the debate activity to better understand the various sources of policy dysfunction. As disadvantages grow in complexity, the need for a better understanding of the theoretical basis for these arguments also increases.

A better understanding of the concepts surrounding policy formation and policy goals will hopefully bring the forensic community closer to an "optimal mix" of topic specific research and policy analysis.

Footnotes

[1]Walter Ulrich, "The Construction of the Affirmative Plan," Jayhawk Research, 1978, (1978), p. D1.

[2]Stuart Nagel and Marian Neef, "Finding and Optimum Choice, Level, or Mix in Public Policy Analysis," Public Administration Review, (Sept./Oct. 1978), p. 407.

[3]Stuart S. Nagel, Policy Evaluation: Making Optimum Decisions, (New York: Prager PUblisher, CBS Educational and Professional Publishing, 1982).

[4]Nagel and Neef, p. 410.

[5]Richard F. Elmore, "Backward Mapping: Implementation Research and Policy Decisions," Political Science Quarterly, 94, No. 4 (Winter 1979-1980), p. 605.

[6]Elmore, p. 610.

[7]"Highway Privacy: Spot Checks are Struck Down," Time, 9, (April 1979), p. 74.

[8]Paul Sabatier and Daniel Mazmanian, "The Implementation of Public Policy: a Framework of Analysis," Policy Studies Journal, 8, Special No. 2 (1980), p. 544.

[9]Michael Pfau, "The Present System Revisited Part One: Incremental Change," Journal of the American Forensic Association, 17 (Fall 1980), p. 84.

[10]Robert K. Merton, "The Unanticipated Consequences of Purposive Social Action," American Sociological Review, 1 (1936), p. 900.

[11]Merton, p. 902.

[12]Michael Pfau, "The Present System Revisited Part Two: Policy Interrelationships," Journal of the American Forensic Association, 17 (Winter 1981), p. 152.

[13]Pfau, p. 153.

[14]Nagel and Neef, p. 407.

[15]Nagel and Neef, p. 408.

[16]Murray Edelman, The Symbolic Uses of Politics, (Urbana: University of Illinois Press, 1964), p. 156.

[17]Eugene Bardach, The Implementation Game: What Happens After a Bill Becomes a Law, (Cambridge: The MIT Press, 1977), p. 85.

[18]Bardach, p. 88.